AGENDA
CITY OF BELTON
PLANNING COMMISSION MEETING
MONDAY, APRIL 18, 2016 - 6:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE MINUTES OF THE MARCH 21, 2016 PLANNING COMMISSION MEETING

IV. DISCUSSION ITEMS

A. Future Land Use Map

B. Retail Tobacco Stores –Vape Shops, e-cigarettes and Hookah Bars

C. Motor Vehicle Sales

V. DIRECTOR'S REPORT

VI. NEXT MEETING DATE: May 2, 2016

VII. ADJOURNMENT

MEETING MINUTES

March 21, 2016

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
March 21, 2016

CALL TO ORDER
Vice-chairman Chris Christensen called the meeting to order at 6:00 p.m.

ATTENDANCE

Commissioners:	Vice-chairman Christensen, Councilman Chet Trutzel, Commissioners Sally Davila, Tim McDonough, Chris Finn, Chuck Crate, and Larry Thompson.
Staff:	Jay Leipzig, Community and Economic Development Director; Megan McGuire, City Attorney; Robert Cooper, City Planner; and Ann Keeton, Interim Community Development Administrative Assistant.
Absent:	Chairman Holly Girgin and Mayor Jeff Davis

MINUTES
Commissioner Crate moved to approve the minutes of the March 7, 2016 Planning Commission meeting. The motion was seconded by Commissioner Finn. All members present voted in favor, and the motion carried.

PUBLIC HEARING – Zone Change request 209 N. Scott
Mr. Leipzig introduced Case #RZ16-04 which was a request submitted by Belton Mini-Storage L.L.C. to rezone approximately 0.68-acres from C-2 (General Commercial) to M-1 (Light Manufacturing) at 209 N. Scott. He reported the zone change request is the first step in the redevelopment plan for the property.

Mr. Cooper presented the staff report and introduced Brian Smith with Belton Mini-Storage who was present at the meeting. He explained that Belton Mini-Storage will be expanding to include the property to the north and a request has been made to rezone a 0.68-acre portion of that property to M-1 (Light-Manufacturing). It was reported the rezoned portion of the property will be used as a storage yard. A new building and parking lot will be positioned on the northern property and fronts North Scott. It was emphasized by Mr. Cooper the zone change is consistent with the Future Land Use Map and the Comprehensive Plan. In addition, the redevelopment plan appears to follow the North Scott Corridor redevelopment guidelines including the zoning, access, design, landscaping, and signage. He pointed out the property at 209 N. Scott is adjacent to property currently zoned M-1(Light-Industrial).

Mr. Cooper reviewed the environmental impacts, predominance and adverse impact of the proposed zone change and reported the anticipated use is less intensive than previous vehicle junk yard that was located on the site for years. He went on to state adverse impacts on neighboring multi-family dwellings will be reduced after redevelopment due to proper screening/fencing, outdoor light mitigation and stormwater runoff control. According to Mr. Cooper, Community Development staff recommends approval of the zone change application.

Vice-chairman Christensen opened the public hearing at 6:08 p.m. This hearing was being held to receive public input regarding a request by Belton Mini-Storage to rezone approximately 0.68-acres from C-2 (General Commercial) to M-1 (Light Manufacturing) at 209 N. Scott.

Brian Smith, 128 E. Hargis, spoke in favor of the zone change. Mr. Smith expressed his excitement that the Belton Mini-Storage business will be expanding and also that the "neglected" property would be cleaned up.

There was no further input and Vice-chairman Christensen closed the public hearing at 6:09 p.m.

Mr. Cooper reported the entire property will be platted and shown as one tract of land with two zoning districts. When Vice-chairman Christensen voiced concern about setting a precedent for spot zoning, Mr. Cooper explained the reasons City staff is in favor of "spot" zoning in this specific instance, when staff is not normally in favor. Mr. Leipzig went on to explain that in the model for the North Scott Corridor Plan, several properties fronting North Scott are zoned commercial/retail with industrial zoning behind. According to Mr. Cooper, the lot has two structures that will be demolished and only one building will be rebuilt on the site. Commissioner Thompson moved to approve a zone change from C-2 (General Commercial) to M-1 (Light Manufacturing) for a 0.68-acre parcel located at 209 North Scott Avenue. The motion was seconded by Councilman Trutzel. When a vote was taken, the following was recorded, Ayes: 7 – Vice-chairman Christensen, Councilman Trutzel, Commissioners Davila, McDonough, Finn, Crate, and Thompson. Noes: none. Absent: 2 – Chairman Girgin and Mayor Davis. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig reported there will not be a Commission meeting on Monday, April 4, 2016. He will be attending the APA Conference that week.

Agenda items for the April 18, 2016 Commission meeting will include:

- Drafts of moratorium Ordinances
- Update on the Future Land Use Map
- Draft of an Ordinance regarding keeping poultry in the City

A joint work session with the Commission and the City Council will be scheduled in July to discuss the Future Land Use Map, with the formal approval in the fall of 2016.

Mr. Leipzig gave updates on commercial construction projects including the VA Clinic, Freddy's Frozen Custard and Steakburgers, and Menards.

There was a brief discussion regarding worsening code enforcement issues at a commercial gas station on North Scott. It was reported the City Attorney is now setting guidelines / deadlines for resolution of the code issues by the property owner.

ADJOURNMENT

Vice-chairman Christensen moved to adjourn the meeting. The motion was seconded by Commissioner McDonough. All members present voted in favor, and the meeting adjourned at 6:25 p.m.

Ann Keeton
Interim Community Development
Administrative Assistant

FUTURE LAND USE MAP

PLANNING COMMISSION - REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET

FUTURE LAND USE MAP DISCUSSION
APRIL 18, 2016 – 6:00 P.M.

STAFF: Robert G. Cooper, City Planner

BACKGROUND

A collaborating effort has been taken with planning commission staff and other stakeholders, (a.k.a. the Committee), by meeting monthly discussing and updating the city's future land use map. The City's current F.L.U.M. is on schedule to be updated every five (5) years to take into account changes in the economy, market trends and housing needs.

REVIEW

Due to the complexity of the project, and the city's limited resources, the Committee has identified eight (8) key growth or focus areas within the City that needed to be adjusted and modified to adequately address the growing changes in those specific areas.

AREA 1: Cunningham Industrial Parkway, between 58-Highway to Peculiar Drive.
- Medical/Office –Zoning District
- Completion of E. 173rd Street

AREA 2: Larkspur (Powell Avenue). Bank of America and Cedar Tree Shopping Center.
- Redevelopment of Cedar Tree
- New development of Freddy's restaurant
- Street overlay improvements
- Traffic control / congestion

AREA 3: North Scott Avenue, between 155th Street and East North Avenue.
- Implementing the Corridor Plan
- Flex-Zoning District

AREA 4: Southview (former golf course area).
- I-49 Corridor Plan
- Implement Flex or PUD Zoning

AREA 5: Area east of Lock Lloyd, just north of 58-Highway and east of Holmes Road.

- Utilizing Holmes Road improvements
- Oil/Gas wells
- Level Of Service (LOS) – PW, PD, FD, Schools
- Large lot residential

AREA 6: North Cass Interchange, between the Outer Road / Interstate 49 and Mullen Road.

- Commercial/Retail Zoning District –Priority Area
- Public Utilities
- Master Transportation Plan
- Capital Improvements

AREA 7: East North Avenue, between the three-way intersection and Y-Highway.

- Reevaluate existing zoning classification
- Implement North Scott Design Guidelines
- Identify predominate land use

AREA 8: Bel-Ray Place, including the east Outer Road from Transwest to Burger King.

- Traffic congestion
- Platting

****

The criteria used to identify a specific area's needs:

- Zoning- What is the current zoning? What type of land uses (businesses) are currently in place? What type of market or demographic pressure is dictating a needed change?

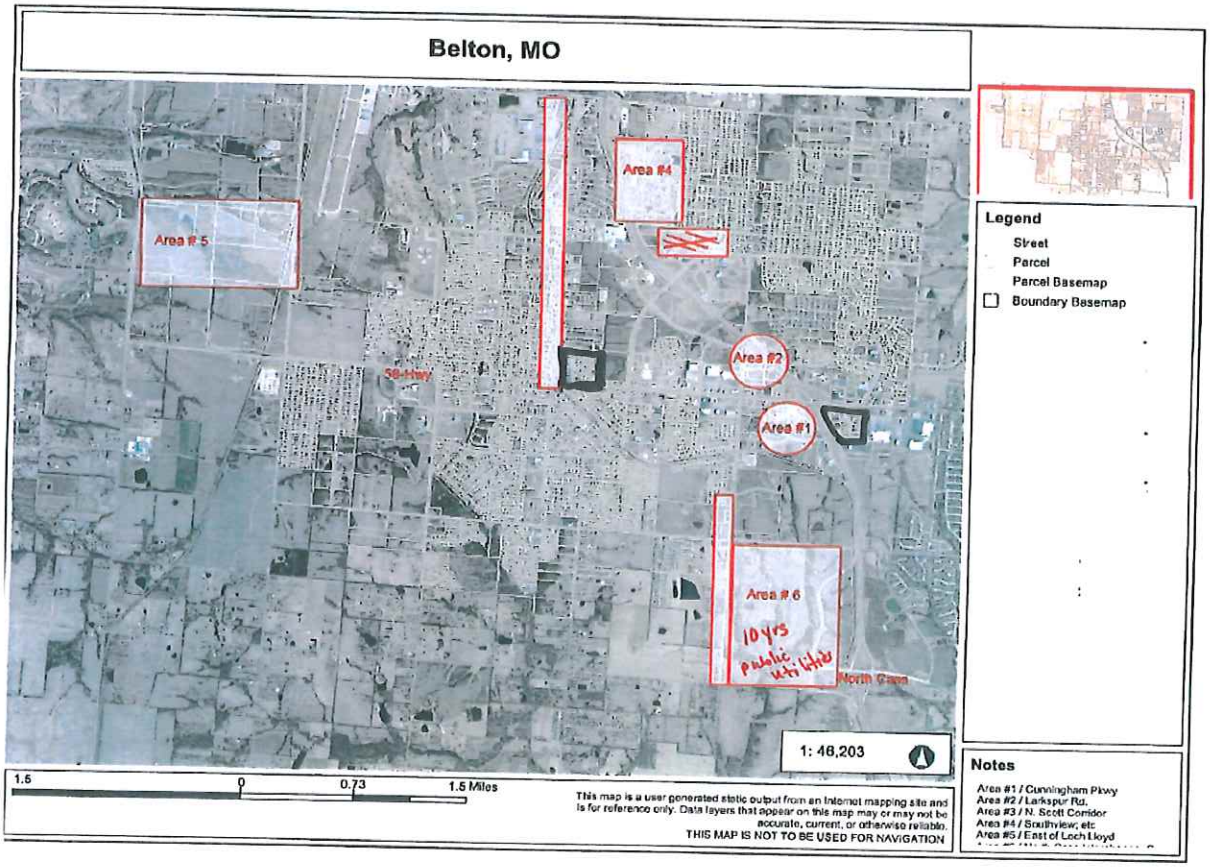
- Platting- Some developed area's in the city were never platted or recorded with the Cass County Recorder's Office. Platting is an important land management tool which helps to identify proper and accurate boundary lines, rights-of-way, and easements. In addition, platting helps to ensure a particular piece of land is being developed properly and not creating a "land-locked" piece of ground which can, in most cases, become an undevelopable, nuisance driven parcel.

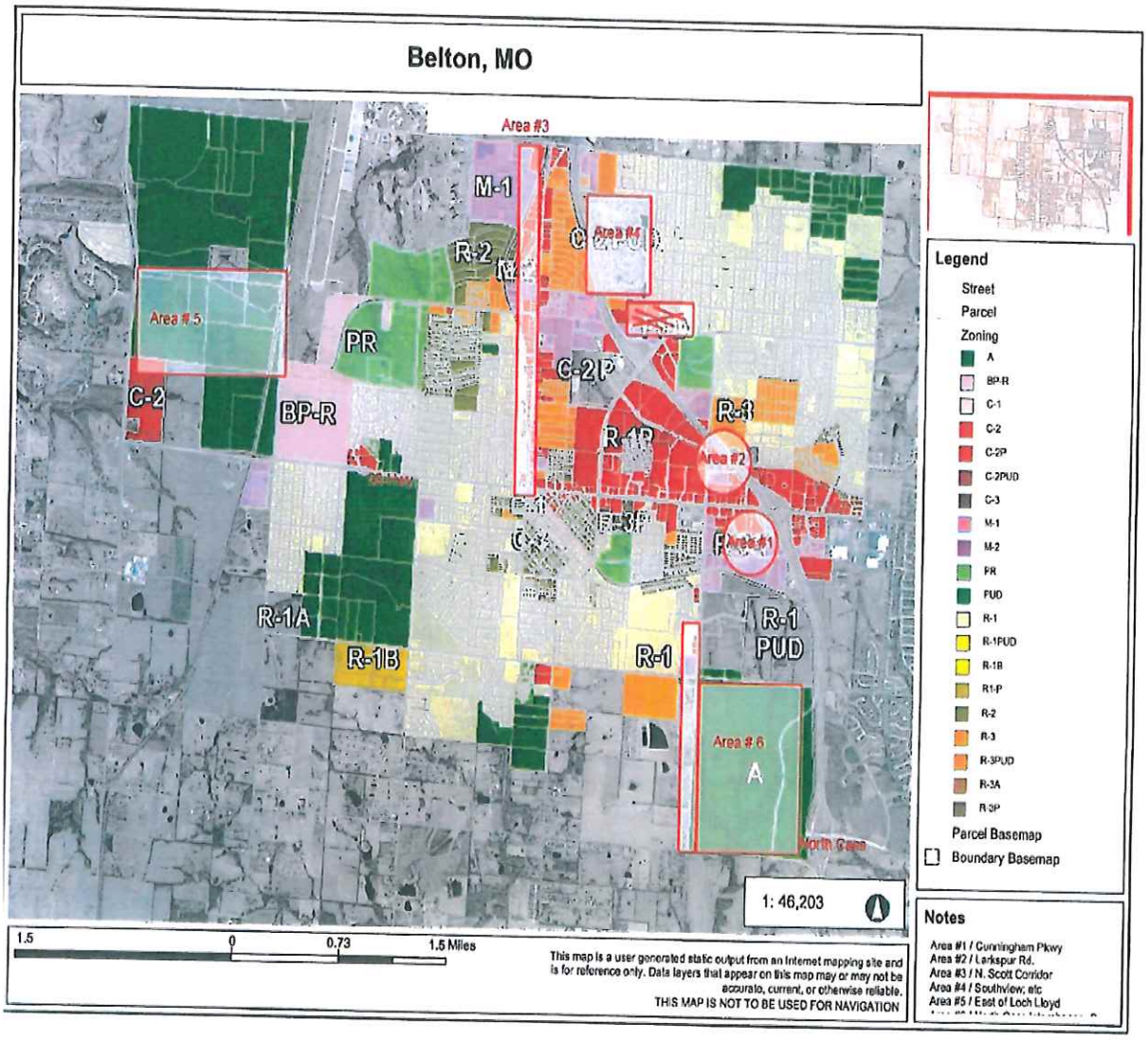
- Storm-water Detention / Stream Buffer Areas – Federal and State regulatory guidelines are becoming more stringent thus causing the city to implement these regulations on developable land that are within a designated flood-zone or stream. The City is in the process of identifying these water-ways and applying mitigation plans, in an effort to control storm-water run-off and preservation of the natural water-ways, as they become part of the built environment.

- Public Utilities – There are some land areas of the city that have become marketable. Regional market trends, in addition to local economic growth and demographic changes, have altered potential 'growth areas' of the city. Inadequate or undersized domestic water and sanitary sewer systems will hinder or possibly prevent the area from developing. Identifying the current capacity of these public services with the potential zoning and land uses will dictate what kind of development can take place.

- Traffic Patterns / Congestion – As new commercial and residential developments happen, new traffic patterns and congestion areas appear. A heavy concentration of commercial or residential subdivisions creates a heavy traffic density. An inadequate or undersized street system will stymie the potential development of a particular area.

- Vacant Land Areas – When a developable tract of land sits vacant for a number of years, there must be a reason. Identifying and understanding these local and outside influences can help the city utilize existing land areas to become useful, beneficial, and marketable.




Belton, MO
Area #3
M-1
R-2
Area #4
Area # 5
PR
C-2P
C-2
BP-R
R-1
R-1P
Area #2
R-3P
Area #1
R-1A
R-1B
R-1
R-1
PUD
Area # 6
A
North Cass
1: 46,203
1.5
0
0.73
1.5 Miles
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION
Legend
Street
Parcel
Zoning
A
BP-R
C-1
C-2
C-2P
C-2PUD
C-3
M-1
M-2
PR
PUD
R-1
R-1PUD
R-1B
R-1P
R-2
R-3
R-3PUD
R-3A
R-3P
Parcel Basemap
Boundary Basemap
Notes
Area #1 / Cunningham Pkwy
Area #2 / Larkspur Rd.
Area #3 / N. Scott Corridor
Area #4 / Southview; etc
Area #5 / East of Loch Lloyd

RETAIL TOBACCO SALES

Vape Shops, e-cigarettes, and Hookah Bars

PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, APRIL 18, 2016 – 6:00 P.M.

Robert G. Cooper, City Planner

ITEM #TA16-06

DISCUSSION ITEM --Text Amendment to Section 40-4(13) of the Unified Development Code, regarding Retail Tobacco Stores.

BACKGROUND

Recently, the Mayor and City Council passed a Resolution to delay the acceptance and processing of new applications for smoke shops, hookah bars, e-cigarette shops, and vapor shops within the City of Belton between January 12, 2016 and July 12, 2016.

Recently, staff has received comments of concern from local business owners that are adjacent to a vapor shop and have expressed concerns over second-hand smoke, and the vapor lounge being filled with second-hand vapor smoke and the spill-over effect into their adjoining business. (attached letter).

ORDINANCE LANGUAGE / Section 40-4(13)

(12) Retail Tobacco Stores.

a. The term "Retail Tobacco Store" means a retail store used primarily for the sale of smoking materials and smoking accessories in which the sale of other products is incidental.

b. The term "Retail Tobacco Store" does not include a tobacco department of a larger commercial establishment such as a department store, or bar.

c. The term "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, hookah or other tobacco product, including flavored tobacco, weeds, herbs or vapor or electronic cigarettes.

d. Retail Tobacco Store may be established only in the C-2 and C-3 zoning districts.

e. No Retail Tobacco Store shall be located within one-thousand feet (1,000') of a school, measured by the shortest straight line from the Retail Tobacco Store building to the school building.

f. No Retail Tobacco Store shall be located within one-thousand feet (1000') of a playground, youth center, city owned and operated recreational facility, park or library, measured by the shortest straight line from the Retail Tobacco Store building to the building containing the playground, youth center, city owned and operated recreational facilities, park or library, or property line if there are no buildings for the use.

g. No Retail Tobacco Store shall locate within one-thousand feet (1,000') of another Retail Tobacco Store, measured by the shortest straight line from the Retail Tobacco Store building to the building of the neighboring Retail Tobacco Store.

h. Each application for an occupancy permit shall include, in addition to such other information as is reasonably required by the Community Development Director, a map demonstrating that the proposed location of the Retail Tobacco Store is consistent with the minimum distance standards established in subsection(s) d, e, and f of this section.

i. Subsection(s) d, e, and f of this section shall not apply to any situation in which a Retail Tobacco Store legally is in existence as of the original effective date of this ordinance.

MOTOR VEHICLE SALES

PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, APRIL 18, 2016 – 6:00 P.M.

Robert G. Cooper, City Planner

ITEM #TA16-07

DISCUSSION ITEM --Text Amendment to Section 40-3(4) of the Unified Development Code, regarding Commercial-Motor Vehicle Sales.

BACKGROUND

Recently, the Mayor and City Council passed a Resolution to delay the acceptance and processing of new applications for commercial-motor vehicle sales, within the City of Belton between January 12, 2016 and July 12, 2016.

Recently, staff has received comments concerning the issuance of a special use permit for a used car sales business in conjunction with an established business by the same business owner on the same lot. Also, there's concern about the minimum size of a used vehicle display area as opposed to the size of the entire lot.

ORDINANCE LANGUAGE / Section 40-3(4)

(4) Commercial – Motor vehicle sales. Motor vehicle sales businesses shall have a special use permit, granted for an initial term of one year and renewable for an additional five-year term and must meet the following requirements:

> Motor vehicle sales dealer's license; site and space requirements: the following standards and norms shall govern the operation of existing multi-vehicle used vehicle lots and shall apply to any multi-vehicle lots proposed or established in the future:
>
> There shall be at least one entrance-exit on the main thoroughfare serving the lot at least 24-feet in width;
>
> The lot must be paved with a surface material of concrete or asphalt;

Each site must sufficiently provide its own independent exterior security lighting; e.g. wall or pole mounted;

The lot must have barriers or other forms of visible demarcation clearly delineating the specific area to be occupied by used vehicles, which shall be approved by the city inspector;

Buildings and their intended uses must be stipulated on the site plan with the special use permit application and receive Planning Commission approval prior to the issuance of an occupational license;

Used vehicle business owner shall have a current State Motor Vehicle Dealer license and a City Occupational license.

All vehicles on the lot must be capable of passing the state vehicle inspections, as required by Missouri Statutes;

Only one (1) used vehicle dealer allowed with each special use permit and only one special use permit allowed per site;

All vehicles on the lot must be complete and no vehicle will be used for the scavenging or junk purposes by any operator issued a license under the provisions of this section;

Any maintenance work must be performed within the confines of the garage and must be completed before the vehicle is returned to the lot for sale;

Used vehicle sales lots may be operated in conjunction with the garage located thereon for the purposes of performing necessary maintenance on those vehicles offered for sale on said used vehicle lot; otherwise, a multi-vehicle used sales lot shall not be operated in conjunction with any other type of business without the approval of the city council upon proper application and hearing thereon who shall consider in dealing with said issue, the compatibility of the proposed uses from a zoning, businesses, commercial and aesthetics viewpoint.

All used vehicle sales lots shall be identified by an internally illuminated wall sign. Cardboard, plywood or hand-painted signs are prohibited;

No used vehicle sales lot shall be established or expanded within 1,000-feet of any other motor vehicle sales business;

No used vehicle sales lot shall be established on a lot less than one-acre in size;

No used vehicle sales lot shall be established or expanded within 100-feet of the district boundary-line of any residential zoning district;

All used vehicle sales lots shall meet the minimum landscaping and screening requirements;

All parking areas shall meet the City's design requirements. Each special use permit shall include a site plan showing parking spaces for employees, customers, display vehicles and adequate off-street unloading areas.